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1 October 2004.

Dear Ms Taylor,

Consultation Response
Consultation regarding transfer objections under deemed contracts for non-domestic customers

This response is submitted on behalf of RWE npower and may be placed in the public domain.

Of the options outlined in your document we consider that option two would provide the most appropriate way forward; namely: *objections where customers are being supplied under deemed contract should be permitted only in defined circumstances specified by regulation*. Further, we believe that the only valid reasons to be specified by regulation should be: where the customer has a debt outstanding for more than 28 days; where suppliers agree that a meter point has been registered in error; or, where only one related meter point has been registered.

Our reason for this view is that although customers will not expressly have agreed the deemed contracts they should be liable to pay for the energy they have consumed. Without an objection process for deemed contracts suppliers would be denied an effective means of helping them to recover money where owed and to rectify errors. Specifying this small number of reasons would overcome some of the difficulties pointed to by those not in favour of allowing objections: that is, customers being locked into deemed contracts, and suppliers deciding the precise circumstances in which they will object. Deemed contract customers would only be held to their deemed supplier for as long as they continued to owe a debt. This is not unreasonable and puts the remedy firmly with those customers.

Please contact me if you wish to discuss any of the points made above.

Yours sincerely,

Gerald Jago
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